

**MINUTES OF THE MEETING OF THE
ARIZONA ENGLISH LANGUAGE LEARNERS TASK FORCE**

October 10, 2007

1:30 p.m., MST

The Arizona English Language Learners (ELL) Task Force met in Hearing Room 5 of the Arizona House of Representatives, 1700 W. Washington Street, Phoenix, Arizona. Mr. Alan Maguire, Chairman, called the meeting to order at 1:36 p.m. MST.

1. Call to Order

Present:

Mr. Alan Maguire, Chairman

Dr. John Baracy

Mr. Jim DiCello

Dr. Eugene Garcia

Ms. Margaret Garcia Dugan

Ms. Johanna Haver

Ms. Eileen Klein

Ms. Karen Merritt

Ms. Anna Rosas

A quorum was present for the purpose of conducting business.

2. Discussion of Recent Task Force Activities

3. Approval of June 27, 2007 and August 1, 2007 minutes of Task Force meetings

Mr. Alan Maguire presented the June 27, 2007 and August 1, 2007 minutes of the ELL Task Force meetings to be approved. The motion was made by Mr. Jim DiCello to approve the minutes, seconded by Ms. Margaret Garcia Dugan. The minutes were approved by a unanimous vote.

4. Discussion and possible approval of Structured English Immersion (SEI) budget request forms

An edit was suggested by Anna Rosas to move page eight to the second page. Dr. Eugene Garcia asked if there would be enough time for school districts to fill out the forms. Ms. Margaret Garcia Dugan stated that school districts usually started in November to budget for the following year. Mr. Jim DiCello stated that his district usually started in October and by November or December they had a good estimate of the following year's budget.

Dr. John Baracy asked for a page-by-page review. He asked when the budget form will be in the hands of school districts. Mr. Maguire stated that they would be as soon as they are adopted, he hoped by November first if they were adopted today. Dr. Baracy asked why schools needed to fill out the form if there were no current dollars budgeted for the ELL programs. Mr. Maguire stated that there were two issues: one, the question on how to fund the current school year, and second, preparing for full implementation in the next school year. This budget form is focused on the latter, preparing for the next school year. Dr. Baracy asked about the process the Task Force would take for costs incurred during this school year. Mr. Maguire stated he does not know; it is beyond the Task Force's power to appropriate money. The duty of the Task Force is to handle the budget form for next year's funding. Mr. Maguire wanted the form adopted and in use in time for the Legislature to include it in the following year's budget. Mr. Maguire was confident that the number for next year's funding will be higher than this year's, so it is imperative to get this done first. The same form could be used for the current year but with fewer lines completed, Mr. Maguire suggested.

Mr. Maguire reviewed the form, noting the various lines including teacher salaries, benefits, educational supplies, and assessments. Page four, line seven includes transportation costs for teachers or students. Also on page four were training expenses. Page five covers the offsets including federal and state monies. The last lines are the calculations of the costs less the offsets. Dr. Baracy asked ADE staff to walk the Task Force members through the calculation on line 20.

Mr. John Stoller stated that desegregation funding is a percent, which is the percent of students in the school or district who are ELLs. Dr. Baracy expressed that this was a simplistic calculation of desegregation funding. He stated that there are schools with agreements with the Office for Civil Rights and that a simplistic calculation like this will short change those schools and districts. There may be costs above and beyond a simple percentage such as busing costs, additional staff, and other things. He asked if there was a ruling yet on this issue from the Attorney General's Office.

Mr. Maguire stated that he had asked the Attorney General's Office and he had been informed that schools and districts should consult their own lawyers regarding this issue as the answer is not uniform and may vary by OCR agreement. Dr. Baracy stated this was the problem, that there was not a uniform measurement and therefore this measurement should not be on the budget form. He suggested that each school work with their agreement. Mr. Stoller stated they had discussed this issue and that originally this was going to be a pre-filled number by ADE, but as an alternative, schools could list their available desegregation funding, a percentage of which would be ELL. Dr. Baracy stated that he would like to see a statement from the Attorney General's Office on their opinion regarding this matter.

Mr. DiCello revisited the statutes on desegregation, reading that a portion of the desegregation funds were to be levied, which did not mean spent, but what the levy was for the school district, determined by the percentage of the ELL population as a percentage of the full population. Mr. DiCello stated that what was on the form represented the language in statute. Dr. Baracy said

again that this was a general calculation. He said that the statute was incorrect in this. Mr. DiCello stated an amendment would be needed to fix the statute, and that this was not for the Task Force to interpret. Mr. Maguire stated that statute dictated the Task Force's actions. Dr. Baracy stated he understood, but he wished his voice represent the discrepancy.

Ms. Johanna Haver asked if this offset was to aid the schools which do not receive desegregation funding. Mr. DiCello stated that it could. He said that if a school's entire desegregation funding is for ELLs, only a percentage would be used in the offset, so one might deduct a smaller amount than normally would be deducted.

Mr. DiCello added that the budget form will not be a paper form; it will be available electronically, so it will not require a large amount of paperwork. Ms. Karen Merritt asked if the calculation of ELLs is still on the 100th day, or the percentage of children classified as ELLs, or the three counts used by federal funding. Mr. Stoller stated that when ADE built the form, staff members knew they needed a consistent number, which for the overall students would be the 100th day, and for ELLs the three date points used in prior years. For the counts for Title I and Title III, they use the three date point average figure. Ms. Merritt reiterated that there were two calculations, one for state funding of ELLs and one for federal funding. There had been inconsistent data in past years between these two figures.

Ms. Merritt asked for clarification on the point of funding for computers and other materials; it cannot come out of state funding but can come from Title III funding. She asked for a final explanation of offsets, with a hypothetical example, so that she understands how they are used. Mr. Stoller stated that they tried to faithfully represent the law in the offsets. On line 23, there are two categories: federal funds and state funds. The form requires state offsets to be deducted first, and then federal offsets. The total amount of offsets is the sum of these two offsets added together. Line 26 equals total incremental costs minus total offsets. Districts will populate the fields and ADE will verify the data. Dr. Baracy noted that line 26 should mention local funding. Mr. Maguire agreed to the edit.

Dr. Garcia stated that Title I was for poverty. He asked if there is a load on Title I funding. He understood there is a portion of Title I that is related to ELLs and wanted to know what proportion this was, because if there was no load to Title I, then this number would be zero. Ms. Garcia Dugan stated that some ELLs fell into this category due to poverty issues. It was stated in the statute to include ELLs' percentages of Title I funding. Dr. Garcia commented that this looked like a similar problem where an amendment to the statute might be required, as the ELLs were only being given Title I monies for their poverty status, not for their ELL status. He said that the Task Force could again make a recommendation to the Legislature. Mr. Stoller stated that in the law there was a consistent flow to taking percentages of the federal funding which were ELL students. Mr. DiCello stated that the allocation of Title I comes first from the number of students in poverty. Once funded, the district can target that funding for any student, which could be low achievement or ELL.

Ms. Merritt expressed concern that if Title III funds were used to offset the Arizona funding for the ELL program, a school would not be able to use Title III funding for extra materials like

computers for that program. Mr. DiCello stated that this, in essence, was the question being raised in the court case. Mr. Maguire agreed, stating this was the portion of the form that is currently under litigation. The judge's order is currently under appeal, and this may affect the form's structure. Ms. Eileen Klein stated that she appreciated the discussion and said that it would be appropriate for the Task Force to give recommendations regarding the statute, but that at present they are bound by statute.

Ms. Merritt asked if there was anything prohibiting the Task Force from allowing costs such as computers and equipment in the incremental costs portion of the budget form. Mr. DiCello stated that there was, according to the state standard set by the State Facilities Board. If a school is not already at state standard, it needs to get to state standard before using something like this SEI fund budget form to get there. Ms. Merritt asked about software expenses. There is no state standard on software, but software is a capital expenditure, not an operating budget expense. This is to be purchased by soft capital. This includes textbooks. Mr. Maguire stated he would be happy to go back and look at that portion and see if any changes can be made. Mr. DiCello stated that only those things which came directly out of the models should be included. Ms. Merritt stated that this should come out of possible models as a tool to help differentiated instruction especially in schools with low ELL populations where multiple grades are taught in the same class.

Dr. Garcia commented on the teacher salaries portion which referred to "the ELL model" where there could be multiple approved models.

Mr. Maguire stated that the suggested edits would be made and presented to the Task Force at the next meeting.

5. Discussion of Procedures and Standards for Review and Approval of Alternate Proposed Programs

Mr. Alan Maguire asked the Task Force to consider the procedure and timeline for the review and approval of alternate proposed ELL programs. A draft procedure with an application form for schools to submit was handed out for Task Force members to consider. The timeline was only a proposal in the draft presented. ADE would check on the compliance of each alternate proposed model to the law and make recommendations to the Task Force. He stated the timing will be difficult as districts are well into the school year, but the basic flow would be that the Task Force would review the alternate models, work with staff to fine tune them, and either approve or reject them. Then, there could follow an appeal process.

Mr. John Stoller commented that the goal of the timeline was for a school to submit an alternate model in time for a budget request. Ms. Karen Merritt asked if the alternate SEI model proposal forms would be online as well. Mr. Stoller stated they would be in a Word document or hard copy. The budget would be submitted online. ADE will work to integrate them. This is necessary to make the deadline for the budget.

Dr. Baracy suggested an edit to the cost effectiveness language; he asked what the word "criteria" referred to. Mr. Maguire stated it was simply a request to explain how the model would be cost effective. Dr. Garcia expressed a concern with the timeline that asks schools to create a model in a month's time when it took the Task Force a full year. He asked for feedback from the field on this.

6. Presentation and Discussion of Training Program for School District Personnel on Structured English Immersion Models

Mr. John Stoller stated that since the Task Force's approval of the models on September 16th, ADE has met with over 500 individuals, including over 100 superintendents and assistant superintendents, to give them the first round of training, a basic overview of the model and history of the decision-making process. There have been some great questions and advice on how to better explain things. The feedback has been mostly positive, with some negative feedback as well, but ADE has given the participants the legal background and has contacted those with questions to answer their questions. Round Two will be three-day training. Kevin Clark has already provided ADE staff members a five-day training as an example of what should be covered. From Mr. Clark's training, ADE has suggested that their staff members provide a two-day training on the teaching of language, with a break for teachers to try out the methods and then return with feedback on the effectiveness. Making modifications based on the success and failures of these training and implementation experiences, ADE could follow up with additional training.

This beginning training process has enabled ADE to show districts and schools where they are now and where they need to be in the 2008-2009 school year. Several school districts have gone ahead with implementation of the four-hour ELD block as they understood it from the start of the school year. They don't have all of the components of the training but can now ask for individual training sessions to implement in their schools. Mesa School District is one of the districts using the new four hour model in their middle schools.

Ms. Karen Merritt asked about the status of the Discrete Skills Inventory. Mr. Stoller stated that Susan Pimentel is looking at the DSI to ensure that it is consistent with the ELL Proficiency Standards. Ms. Merritt asked if there would be additional educators in the external evaluation. Mr. Stoller stated that there would only be Ms. Pimentel's evaluation, but there would also be feedback from the field from the training session. Dr. Eugene Garcia asked for a copy of the DSI. Once Ms. Pimentel finishes the review, the DSI will be given to the Task Force. Ms. Klein asked about the timeline for the training. Mr. Stoller stated that training would be on-going. By the time the ADE training teams are finished, they expect to have trained more than a thousand on the Round One sessions. They are getting such good turnout on Round One that they are working on a Part Two of the Round One session to answer questions and give more information that schools need. ADE has not posted Round Two training dates yet.

Ms. Johanna Haver asked if there will be any videotaping of the training sessions. Mr. Stoller stated that they are planning to put the training on a sequence of CDs for schools to use with new

staff. Dr. Garcia requested the PowerPoint that ADE is using. Mr. Stoller said he would get the PowerPoint to the Task Force members. Once the budget sheet is approved, ADE will also go over this form with schools and districts. The ADE trainers will provide instruction and examples to assist districts.

Ms. Eileen Klein asked that from this point forward there be an agenda item to discuss the ongoing training sessions, as professional development is such a key component of the working models. Ms. Margaret Garcia Dugan stated that she can send all the dates of the Round One sessions to Task Force members. Some school districts have been asking for visits from schools who have already been doing the three or four hour daily ELD instruction. She asked that any Task Force members who knew of such schools please forward that information to ADE.

7. Presentation and Discussion of Upcoming Task Force Activities

Mr. Alan Maguire stated that the Task Force will be given an updated version of the budget request form for their review at the next Task Force meeting. There will also be an updated version of the Alternate Models Application. For setting up a regular meeting time each month, the second week of the month seemed most popular. Mr. Maguire suggested meeting the second Thursday of every month. He asked for Task Force members to check to see if this date will work for them. They can decide on this at the next meeting.

Dr. Eugene Garcia stated that he sent out the literature review of research to experts in the field and has received feedback from Dr. Steve Krashan and two colleagues. He asked to share the review of the research review with the Task Force.

The next scheduled ELL Task Force meeting will be on October 29.

8. Call to the Public

A call to the public was made at 3:08 p.m. Ms. Norma Bassolet, federal programs director for Yuma Elementary School District spoke to the Task Force. She handles all of the budget applications and entitlement and ELL funding which will come to the schools. She expressed concern with the timeline, in particular with Compensatory Instruction funding for which they had to submit a proposal and a request with four Excel spreadsheets by June 30th. They did as required. Then when there was a change at ADE, the district received an email requesting another proposal and a reevaluation of the prior proposal. They submitted that as well.

The district received an email stating that their full proposed budget was being granted. The following morning there was another email asking them to disregard the earlier email, that due to the many schools and districts requesting funding, funding had been cut. The district received \$300,000 less than they had requested. Another email arrived asking for the district to redo the Excel spreadsheets and an amendment to Attachment B.

Ms. Bassolet expressed concern that the Task Force must allow ADE and districts enough time to complete the budget requests, and to allow time for ADE to understand the process, so that a repeat of this experience with Compensatory Instruction funding would not occur. Yuma Elementary District is still waiting for compensatory funding.

9. Discussion of future meetings

The next scheduled Task Force meeting is on October 29.

10. Adjournment

Dr. John Baracy moved to adjourn. Ms. Margaret Garcia Dugan seconded the motion. The meeting adjourned at 3:11 p.m.

Arizona ELL Task Force

Alan Maguire, Chairman
December 13, 2007